

A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-
12.1 for property commonly known as 202 Jacobs
Avenue, Fort Wayne, Indiana 46808 (Valspar
Corporation)

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Section 153.02 of the Municipal Code of the City of Fort Wayne, Indiana, of 1993, as amended and I.C. 6-1.1-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein; and

WHEREAS, said project will create 13 full-time, permanent jobs for a total additional annual payroll of \$443,210, with the average new annual job salary being \$34,100 and retain 105 full-time, permanent jobs for a current annual payroll of \$3,312,000, with the average current annual job salary being \$31,545; and

WHEREAS, the total estimated project cost is \$434,738; and

WHEREAS, recommendations have been received from the Committee on Finance concerning said Resolution; and

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution; and

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA:**

SECTION 1. That, the Resolution previously designating the above described property as an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2005.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall apply to a deduction of the assessed value of personal property for new manufacturing equipment.

1 **SECTION 4.** That, the estimate of the number of individuals that will be employed
2 or whose employment will be retained and the estimate of the annual salaries of those
3 individuals and the estimate of the value of the new manufacturing equipment, all contained
4 in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably
5 expected to result from the proposed described installation of the new manufacturing
6 equipment.

7 **SECTION 5.** The current year approximate tax rates for taxing units within the
8 City would be:

- 9 (a) If the proposed new manufacturing equipment is not installed, the approximate
10 current year tax rates for this site would be \$9.2453/\$100.
11 (b) If the proposed new manufacturing equipment is installed and no deduction is
12 granted, the approximate current year tax rate for the site would be
13 \$9.2453/\$100 (the change would be negligible).
14 (c) If the proposed new manufacturing equipment is installed, and a deduction
15 percentage of eighty percent (80%) is assumed, the approximate current year
16 tax rate for the site would be \$9.2453/\$100 (the change would be negligible).

17 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction
18 from the assessed value of the new manufacturing equipment shall be for a period of five
19 years.

20 **SECTION 7.** The benefits described in the Petitioner's Statement of Benefits can be
21 reasonably expected to result from the project and are sufficient to justify the applicable
22 deductions.

23 **SECTION 8.** For new manufacturing equipment, a deduction application must
24 contain a performance report showing the extent to which there has been compliance with
25 the Statement of Benefits form approved by the Fort Wayne Common Council at the time of
26 filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort
27 Wayne's Department of Economic Development and must be included with the deduction
28 application. For subsequent years, the performance report must be updated and submitted
29 along with the deduction application at the time of filing.

30 **SECTION 9.** The performance report must contain the following information

- 31 A. The cost and description of real property improvements and/or new
32 manufacturing equipment acquired.
33 B. The number of employees hired through the end of the preceding calendar year
34 as a result of the deduction.

- C. The total salaries of the employees hired through the end of the preceding calendar year as a result of the deduction.
 - D. The total number of employees employed at the facility receiving the deduction.
 - E. The total assessed value of the real and/or personal property deductions.
 - F. The tax savings resulting from the real and/or personal property being abated.

SECTION 10. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

SECTION 11. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases operations at the facility for which the deduction was granted and if the Common Council finds that the property owner obtained the deduction by intentionally providing false information concerning the property owner's plans to continue operation at the facility.

SECTION 12. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Member of Council

APPROVED AS TO FORM A LEGALITY

J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by Crawford,
and duly adopted, read the second time by title and referred to the Committee on
Finance, (and the City Plan Commission for recommendation)
and Public Hearing to be held after due legal notice, at the Common Council Conference
Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday, 19 May, at 5:30
the 27th day of May, 19 97, at 5:30
o'clock M., E.S.T.

DATED: 5-13-97

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Crawford,
and duly adopted, placed on its passage. PASSED LAST
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT				<u>✓</u>

DATED: 5-27-97

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL)

(ZONING) ORDINANCE RESOLUTION NO. R-29-97
on the 27th day of May, 19 97

Sandra E. Kennedy ATTEST: Thomas P. Kennedy
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the
28th day of May, 19 97,
at the hour of 1:30, o'clock P.M., M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 3rd day
of June, 19 97, at the hour of 3:40
o'clock P.M., E.S.T.

PAUL HELMKE, MAYOR



NESS F. ZURBUCH, CHIEF DEPUTY SURVEYOR
G. J. WYSS, ASSISTANT HIGHWAY SUPERVISOR

Exhibit

HARRY K. GOTTSCHALK
REGISTERED PROFESSIONAL CIVIL ENGINEER
SURVEYOR OF ALLEN COUNTY, INDIANA

110 COURT HOUSE

PHONE A-6261

Fort Wayne, Indiana

March 29th, 1938.

Mr. Robert G. Morrison,
Attorney at Law,
Suite 801 Phoenix Building,
Minneapolis, Minn.

Dear Sir:

Herewith please find revised description of tract between Jacobs Avenue and State Street, in the City of Fort Wayne, Indiana, purchased by the Minnesota Linseed Oil Paint Company.

You will note that I have located the center of Section thirty-five (35), which is in effect the Northwest corner of the Northwest quarter of the Southeast quarter of said Section thirty-five (35), Township thirty-one (31) North, Range twelve (12) East, Allen County, Indiana. This corner happens to be exactly ten (10) feet North of the North line of State Street, and the East line of the fifteen (15) foot alley on the West of the Minnesota Linseed Oil Paint Company tract is the North and South half section line of said Section thirty-five (35).

Please note, also, that I have located the Southwest corner of Lot Numbered one (1) as being seven hundred twenty-eight and two tenths (728.2) feet South zero (0) degrees thirty (30) minutes West and thirteen (13) feet East of this established corner within the Section, and also that I have referred, at the end of the description, to the fact that the tract is a part of and located wholly within the Northwest quarter of the Southeast quarter of the aforesaid Section thirty-five (35). This should definitely locate the tract so far as the congressional township and sectional subdivision is concerned.

Yours very truly,

REGISTERED PROFESSIONAL CIVIL ENGINEER

HKG:PM

2 Jacob's Ave., Lincoln, N.H., U.S.A.

C E R T I F I C A T E

June 18th, 1857.

The undersigned Harry K. Gottschalk, Civil Engineer and Surveyor, Registered as provided by an Act of the 73rd General Assembly of the State of Indiana, hereby certifies that he has made a survey of the following described property in Allen County, Indiana:

Lots Numbered one (1) to ten (10) inclusive, Jacobs Second Amended Addition to the City of Fort Wayne, Indiana, as recorded in Plat Book 5, page 62, in the Office of Recorder of Allen County, Indiana, and vacated alleys on the North and East of said Jacobs Second Amended Addition, and all that property bounded on the East by the West right-of-way line of The Toledo and Chicago Interurban Railway Company (now Indiana Service Corporation), on the South by the North line of a fifteen (15) foot vacated alley North of said Jacobs Second Amended Addition, on the West by the East line of a fifteen (15) foot alley, and on the North by the South line of State Street, and being more particularly described as follows, to-wit:

Beginning at the Southwest corner of Lot Numbered one (1), Jacobs Second Amended Addition to the City of Fort Wayne, Indiana, said point being seven hundred twenty-eight and two tenths (728.2) feet South, zero (0) degrees thirty (30) minutes West, and thirteen (13) feet East of the Northwest corner of the Northwest quarter of the Southeast Quarter of Section thirty-five (35), Township thirty-one (31), North, Range twelve (12) East, Allen County, Indiana; thence North zero (0) degrees thirty (30) minutes East, along the West line of said Lot Numbered one (1) produced North, a distance of one hundred sixty-five (165) feet to the North line of a fifteen (15) foot vacated alley; thence West, along the North line of said vacated alley, a distance of thirteen (13) feet; thence North zero (0) degrees thirty (30) minutes East, along the East line of a fifteen (15) foot alley, a distance of five hundred three and two tenths (503.2) feet to the South line of State Street; thence South eighty-nine (89) degrees one (1) minute East, along the South line of State Street, a distance of ninety-five and four tenths (85.4) feet to the West right-of-way line of The Toledo and Chicago Interurban Railway Company (now Indiana Service Corporation); thence South twenty-five (25) degrees thirty-five (35) minutes East, along the said West right-of-way line, a distance of two hundred six (206) feet; thence continuing South twenty-three (23) degrees nineteen (19) minutes East, along the said West right-of-way line, a distance of one hundred fifty (150) feet; thence continuing South thirty-two (32) degrees fifteen (15) minutes East, along the said West right-of-way line, a distance of four hundred sixteen (416) feet to intersect the North line of Jacobs Avenue; thence North eighty-eight (88) degrees forty-seven (47) minutes West, along the North line of Jacobs Avenue, a distance of four hundred fifty-five and nine tenths (455.9) feet to the place of beginning, containing four and six hundredths (4.06) acres of land more or less; all of said above described tract being located in the Northwest quarter of the Southeast Quarter of Section thirty-five (35), Township thirty-one (31), North, Range twelve (12) East, Allen County, Indiana.

The above description and accompanying plat are hereby certified correct.

Survey No. 1655.

Harry K. Gottschalk
REGISTERED PROFESSIONAL CIVIL ENGINEER

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE: Confirming Resolution

DEPARTMENT REQUESTING ORDINANCE: Department of Economic Development

SYNOPSIS OF ORDINANCE: This is to confirm the approval of an Economic Revitalization Area for Valspar Corporation for personal property improvements in the amount of \$434,738. In order to expand Valspar Corporation will purchase new equipment.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): No expenditures of public funds are required.

ASSIGNED TO COMMITTEE (PRESIDENT): John Crawford

BILL NO. R-97-05-07

REPORT OF THE COMMITTEE ON FINANCE

JOHN N. CRAWFORD - DONALD J. SCHMIDT - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE Resolution TO WHOM
WAS REFERRED AN (ORDINANCE)xx (RESOLUTION) confirming resolution
designating an "Economic Revitalization Area" under I.C. 6-1-12.1 for
property commonly known as 202 Jacobs Avenue, Fort Wayne, Indiana 46808
(Valspar Corporation)

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESOLUTION)

DO PASS DO NOT PASS ABSTAIN NO REC

<u>John N. Crawford</u>	_____	_____	_____
<u>Debbie Hall</u>	_____	_____	_____
<u>Howard Hayburne</u>	_____	_____	_____
<u>Martin J. Pender</u>	_____	_____	_____
<u>Arthur L. Larson</u>	_____	_____	_____
<u>Sandra E. Kennedy</u>	_____	_____	_____
<u>Colleen Lorraine</u>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DATED: 5-27-97

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

May 14, 1997

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of May 17, 1997,
in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Notice of Public Meeting
Bill Nos. R-97-05-04 & R-97-05-05
Bill Nos. R-97-05-06 & R-97-05-07
Revitalization Areas

Please send us 3 copies of the Publisher's Affidavit from both
newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 2

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL

(RESOLUTIONS NO. R-97-05-06 AND R-97-05-07)

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, APPROVED A RESOLUTION ON 5/13/97,
DESIGNATING PROPERTY AT 202 Jacobs Avenue, Fort Wayne, Indiana
(VALSPAR CORPORATION)
DATE

AN ECONOMIC REVITALIZATION AREA. A DESCRIPTION OF THE AFFECTED AREA CAN BE INSPECTED IN THE COUNTY ASSESSOR'S OFFICE.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED OR RESCINDED ON Tuesday, May 27, 1997, at 5:30 o'clock P.M.,
DATE, TIME & PLACE

Common Council Conference Room 128, 1st Floor, City-County Building,
Fort Wayne, Indiana
DATE

IF CONFIRMED, SAID DESIGNATING SHALL CONTINUE FOR ONE (1) YEAR AFTER CONFIRMATION.

ALL INTEREST PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219)427-1120, TTY (219)427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK

FORT WAYNE COMMON COUNCIL
(Governmental Unit)

To: _____ Dr. _____

ALLEN County, Indiana

The Journal-Gazette

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM**LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

41	lines, 1	columns wide equals 41	equivalent lines	\$ 14.92
at .364 cents per line				

Additional charge for notices containing rule or tabular work
(50 percent of above amount) _____

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) _____

TOTAL AMOUNT OF CLAIM	\$ 15.92
------------------------------	-----------------

DATA FOR COMPUTING COSTWidth of single column **12.5** emsNumber of insertions **1**Size of type **6** point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: **MAY 19th**, 19**97** Title: _____ Clerk _____

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:

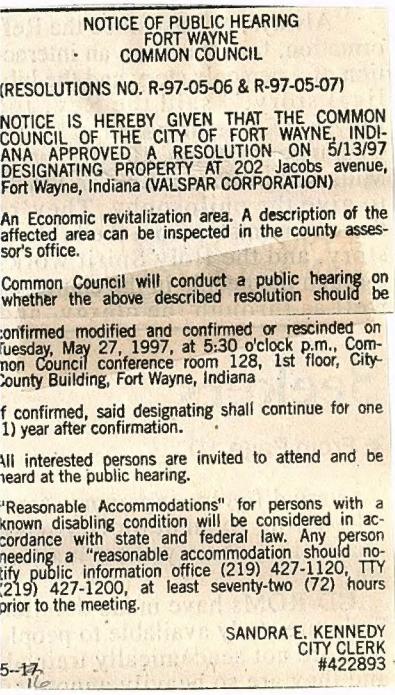
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned **MICHELLE L. MENDENHALL** who, being duly sworn, says that he/she is **Clerk** of the **The Journal-Gazette** newspaper of general circulation printed and published in the English language in the (city) (town) of **Fort Wayne, IN** in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **5-16-97** time _____, the dates of publication being as follows:

Subscribed and sworn to before me this _____ day of **MAY**, 19**97**.

MARY L SCHNEIDER
Notary Public
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14, 1997

My commission expires:



FORT WAYNE COMMON COUNCIL

(Governmental Unit)

ALLEN

County, Indiana

To: The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM**LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
 -- number of equivalent lines _____

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Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

41 lines, 1 columns wide equals 41 equivalent lines
 at .364 cents per line

\$ 14.92

Additional charge for notices containing rule or tabular work
 (50 percent of above amount) _____

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) _____

1.00

TOTAL AMOUNT OF CLAIM

\$ 15.92

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

- point

"Reasonable Accommodations" for persons with a known disabling condition will be considered in accordance with state and federal law. Any person needing a reasonable accommodation should notify public information office (219) 427-1120, TTY (219) 427-1200, at least seventy-two (72) hours prior to the meeting.

SANDRA E. KENNEDY
CITY CLERK
#422833

ovisions and penalties of Chapter 155, Acts 1953,

at the foregoing account is just and correct, that the amount due, after allowing all just credits, and that no part of the l.

Michelle L Mendenhall

19th, 19 97

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned MICHELLE L MENDENHALL who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time , the dates of publication being as follows:

5-16-97

Michelle L Mendenhall

Subscribed and sworn to before me this 19th day of MAY, 19 97.

Mary L Schneider
Notary Public

MARY L SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP. JUNE 14, 1997